

22—Non-Employee Accident Prevention

cause of injury (contributory negligence). For example, when opening a glass toothbrush container, claimant used such undue force that he cracked the glass and suffered an injury as a result

The retailer or other middleman can subrogate the claim by instituting an action against the manufacturer claiming the latter bears the primary responsibility for putting defective products in the "stream of trade"

Precautions the seller can take to avoid claims

Appropriate warning labels should be placed on the product if necessary, or require the manufacturer to do so

Imported products must have warning labels and directions printed in understandable English

Where necessary, an appropriate instruction manual should be attached or sent along with the package. The "proper" use of the item must be stressed

Check the phrases used in the product advertising copy for possible implied misrepresentation, such as "fire resistant," "absolutely safe," "foolproof," "nonflammable"

Anytime any sketches, photos, or diagrams accompany products they should emphasize accident prevention features and safe operating devices such as safety switches and guards

Teach and train sales and service personnel in the use and dangers of products and how to advise customer accordingly

Instruct employees not to contradict or change any of the manufacturer's instructions.

References

- American National Standards Institute, 1430 Broadway, New York, N Y 10018
Manual on Uniform Traffic Control Devices for Streets and Highways, D6 1
Method of Measuring and Recording Patron and Non-Employee Injury Statistics, Z108 1
Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, A17 1
- Matwes, George and Helen *Loss Control A Safety Guidebook for Trades and Services*
New York, N Y, Van Nostrand Reinhold Co 1973
- National Fire Protection Association, 470 Atlantic Ave, Boston, Mass 02210
Auxiliary Protective Signaling Systems, Standard No 72B
Installation of Air Conditioning and Ventilating Systems, Standard No 90A
Life Safety Code, Standard No 100
Local Protective Signaling Systems, Standard No 72A
Proprietary Protective Signaling Systems, Standard No 72D
Remote Station Protective Signaling Systems, Standard No 72C
Central Station Protective Signaling Systems, Standard No 71
- National Safety Council, 444 North Michigan Ave, Chicago, Ill 60611
Industrial Data Sheets
Carbon Monoxide, 415
Escalators, 561
Evacuation System for High-Rise Buildings, 656
Falls on Floors, 495
Fire Prevention in Stores, 549
Floor Mats and Runners, 595
Parking Lots—Self-Service, 597
Sidewalk Sheds, 368
- National Safety News Reprints
"Slips and Falls—Part I, Factors in Detecting and Correcting Floor Slipperiness"
"Slips and Falls—Part II, Elusive Factor in Falls The Shoe Sole"
Supervisors Guide to Human Relations
- "Property Conservation Engineering and Management" *Record*, 50 3 (May-June 1973)
Factory Mutual System, Norwood, Mass 02062